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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,296	10/21/2003	Takuro Sekiya	2271/71291	8028
7590	05/25/2006			EXAMINER LIANG, LEONARD S
Ivan S. Kavrukov, Esq. Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			ART UNIT 2853	PAPER NUMBER

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H7

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/690,296	SEKIYA, TAKURO
	Examiner	Art Unit
	Leonard S. Liang	2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 03 April 2006.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 10-14 and 21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) \_\_\_\_\_ is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) 10-14 and 21 are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

This application contains claims directed to the following patentably distinct species:

- Species I directed to an ink-jet recording apparatus...wherein said ink-jet recording apparatus has a rotation control mechanism which rotates the orientation of the recording medium by putting the recording medium on a tray and then rotating the tray by 180 degrees (as applied to claim 10 in its current form)
- Species II directed to an ink-jet recording apparatus...wherein said ink jet recording apparatus has a memory for storing image data that is used for printing image on the back side of the recording medium, front side of which has been already printed; and said ink-jet recording apparatus sends the image data to the ink-jet recording head in the reverse order so that the image data is printed on the back side of the recording medium from bottom to top direction (as applied to claim 11 in its current form)
- Species III directed to an ink-jet recording apparatus...wherein said ink-jet recording apparatus which enables the printing unit to print images on the recording medium such that the vertical orientations of the images printed on both sides of the recording medium coincide with each other, comprises: a twisted path provided on the conveyance path, the shape of which is twisted so that the front and back sides of the recording medium, which passes through the twisted path, is

turned upside down for substantially 180 degrees (as applied to claim 12 in its current form)

- Species IV directed to an ink-jet copier/apparatus wherein the ink-jet copier/apparatus has a memory for storing data that is sent to the printing unit in the reverse order for printing in the reverse direction between one side of the recording medium and the other side of the recording medium, wherein the reverse direction means from bottom to top direction (as applied to claims 13-14 and 21 in their current form)

The species are independent or distinct because:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, Species I is directed towards rotating a medium-holding tray by 180 degrees. Species II does not disclose a medium holding tray. Rather, Species II is directed to a memory for storing image data that is used for printing image on the back side of the recording medium, front side of which has been already printed. Species I does not disclose such a memory.

Inventions I and III are directed to related products. The related inventions are distinct if the inventions as claimed do not overlap in scope, i.e., are mutually exclusive; the inventions as claimed are not obvious variants; and the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect. See MPEP § 806.05(j). In the instant case, Species I is directed to rotating a tray by 180 degrees and Species III is directed to turning a sheet upside down for substantially 180 degrees.

Inventions I and IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, Species I is directed towards rotating a medium-holding tray by 180 degrees. Species IV does not disclose a medium holding tray. Rather, Species IV discloses a memory for storing data that is sent to the printing unit in the reverse order for printing in the reverse direction between one side of the recording medium and the other side of the recording medium, wherein the reverse direction means from bottom to top direction. Species I does not disclose such a memory.

Inventions II and IV are directed to related products. The related inventions are distinct if the inventions as claimed do not overlap in scope, i.e., are mutually exclusive; the inventions as claimed are not obvious variants; and the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect. See MPEP § 806.05(j). In the instant case, both inventions II and IV are directed to memories for storing data. However, species II appears to be directed to storing image data that is used for the back side of a recording medium where the front side has already been printed. On the contrary, Species IV appears directed for a memory for storing data that is sent to the printing unit in the reverse order for printing in the reverse direction between one side of the recording medium and the other side of the recording medium.

Invention III is unrelated to Inventions II and IV for reasons similar to the why Invention I is unrelated to inventions II and IV.

Art Unit: 2853

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

05/15/06

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**STEPHEN MEIER  
SUPERVISORY PATENT EXAMINER**